

Preliminary list of waste and material streams to be considered as possible candidates for EU-wide EoW or by-product criteria:

- Plastics (one or several of the subcategories below to be selected):
 - PET- Polyethylene terephthalate
 - HDPE- High-density Polyethylene
 - PE- Low-density polyethylene
 - PVC- Polyvinyl chloride
 - PP- Polypropylene
 - PS- Polystyrene
 - ABS- Acrylonitrile butadiene styrene
 - PC- Polycarbonates
 - PU- Polyurethane
 - OTHER- Other plastics (e.g. acrylic, polylactic acid fibres etc.)
- A specific textile waste stream, e.g.:
 - Carpet waste
- Rubber (granulated/powder) from end-of-life tyres

- Mineral Construction & Demolition (C&D) waste (concrete, bricks) for use as aggregate
- Waste from Electrical and Electronic Equipment (WEEE) (specific stream after pre-treatment)

- Biological materials (not covered by the Fertilising Products Regulation (EU) 2019/1009)
- Paper

- Slags (one or several of the subcategories below to be selected)
 - Iron and steel slag
 - Copper slags
 - Iron silicate
- Bauxite residue (from alumina production)
- Flue gas desulphurisation (FGD) gypsum and plasterboard
- Mill scale waste (from steel production) – as by-product

Criteria to be used in selecting the waste and material streams based on the four EoW conditions from Art 6 of the Waste Framework Directive¹

a) the substance or object is commonly used for specific purposes;

1: Current recovery, recycling and collection rates or generated/ used material amounts
Elements to consider
<ul style="list-style-type: none">• Reported current or estimated future recovery rates/generated used materials

2: Number of identified uses
Elements to consider
<ul style="list-style-type: none">• Number of distinct identified uses for which a market is claimed to exist (for by-products one possible source of information could be submitted REACH registration dossiers).

b) a market or demand exists for such a substance or object;

3: Market value of by-product/waste, total € (annual generated tonnage x price per tonne)
Elements to consider
<ul style="list-style-type: none">• Available tonnage information (waste / material generated)• Price per tonne

4: Intra-EU shipments
Elements to consider
<ul style="list-style-type: none">• Specific cases where the existence of different national EoW or by-product criteria result in that shipments between Member States for recycling or other recovery have been or are expected to be prevented.• Evidence of problems encountered: e.g. legal disputes, delays incurred, frequency of and costs due to such problems and specific waste management operations involved.

¹ All criteria 1-8 relate specifically to the Circular Economy, criteria 4 and 8 additionally to the creation of a well-functioning Internal Market and criteria 5, 7 and 9 to the protection of the environment; the information is also collected for candidate by-product materials

5: Exports outside the EU

Elements to consider

- Consequences due to the fact that the export bans in the EU waste shipment regulation, i.e. banning exports of hazardous waste and certain other waste e.g. plastic waste outside the OECD (also EU's implementation of the Basel Convention) and banning exports for disposal outside the EU/EFTA, will no longer apply from when the specific waste or material stream is subject to EoW or by-product criteria and is therefore not 'waste' under EU legislation.

6: Market success factors

Elements to consider

5a Purity and relevance of recoverable substances in the stream

- Does the material have high purity (in terms of what is being sought for recovery)?

5b Recoverable critical raw materials (CRM)

- Does the material contain recoverable critical raw materials (CRMs)?. See list here: [DocsRoom - European Commission \(europa.eu\)](https://docsroom.europeancommission.eu)

5c Evidence of there being a demand for this waste / material / recovered material

- Are there sufficient plants and equipment (infrastructure) for the recovery of secondary material, to ensure a stable secondary raw materials market?

- c) the substance or object fulfils the technical requirements for the specific purposes and meets the existing legislation and standards applicable to products;

7: Existence of relevant product standards

Elements to consider

- Existence and number of relevant product standards (applicable to the by-product or to the EoW material or material recovered from waste).

8: Existing national / regional EoW and/or by-product criteria

Elements to consider

- Existence or number of national or regional EoW and/or by-product criteria.

- d) the use of the substance or object will not lead to overall adverse environmental or human health impacts²

9: Low expected environmental / human health impact of the use of the waste stream as EoW material or by-product

Elements to consider

- Evidence of low impact on human health or on the environment. E.g. toxicological information, life-cycle analysis of the material, case-studies of use, etc.
- Toxicological and compositional information from relevant REACH registrations and information on the presence of SVHCs and other substances of concern can contribute to this assessment. (REACH registration as a substance provides indication that the producer considers the material to be a product with some market potential).
- Low SVHC content - presence of SVHC and other substances of concern in the waste / material stream is a negative factor

² Art. 6(2) WFD requires that the criteria shall ensure a high level of protection of the environment and human health and facilitate the prudent and rational utilisation of natural resources; and Art 6(3) WFD requires that the Commission takes as a starting point the most stringent and environmentally protective of criteria